

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JACOB JAMES BERNARDS,

Petitioner,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. 21-CV-5776-LK

ORDER ADOPTING REPORT AND
RECOMMENDATION

This matter comes before the Court on United States Magistrate Judge David W. Christel's Report and Recommendation. Dkt. No. 9. Having reviewed this document, the remaining record, and the applicable law, the Court adopts the Report and Recommendation and dismisses Mr. Bernards' habeas petition without prejudice.

Judge Christel's Report and Recommendation details the brief procedural history of this case. *See* Dkt. No. 9 at 1–2. The Court accordingly declines to recount those facts. As relevant here, Judge Christel issued his Report and Recommendation on March 7, 2022, which, in accordance with the governing statute and procedural rule, indicated that any objections were due within 14 days of service. *Id.* at 2 (citing 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)). Judge

1 Christel further cautioned that “[f]ailure to file objections w[ould] result in a waiver of those
2 objections for purposes of appeal.” *Id.* Mr. Bernards did not file any objections.

3 The Court reviews findings and recommendations “*if objection is made*, but not otherwise.”
4 *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (emphasis in
5 original). No objections having been filed, the Court ADOPTS Judge Christel’s Report and
6 Recommendation, Dkt. No. 9, and DISMISSES without prejudice Mr. Bernards’ habeas petition.
7 Dkt. No. 8. The Clerk is directed to send uncertified copies of this Order to Mr. Bernards at his
8 last known address.

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10 Dated this 12th day of July, 2022.

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Lauren King
13 United States District Judge
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